

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CUSTOMS APPLICATION NO.49 OF 2003

The Commissioner of Customs(Import) ..Applicant.
V/s.

M/s.Bharat Vijay Velvet and
Silk Mills P.Ltd. ..Respondent.

Mr.P.S.Jetly with Y.R.Mishra for applicant.

**CORAM : V.C. DAGA AND
J.P.DEVADHAR, JJ.**

DATED : 13TH APRIL, 2005.

P.C. :-

1. Heard the learned counsel for the applicant. The question as to whether while directing the refund of pre-deposit interest can be awarded or not, is concluded by the Judgment of the Apex Court in the case of **Commissioner of Central Excise, Hyderabad V/s. I.T. Ltd. [2005 (179 E.L.T. 15 (S.C.).]** In this view of the matter, this question does not survive.

2. Application is disposed of accordingly with no order as to costs.

(V.C. DAGA, J.)

(J.P.DEVADHAR, J.)

